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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

10 ARCH INSURANCE COMPANY,

Plaintiff,

NO. C09-0602 RSM

13 SCOTTSDALE INSURANCE COMPANY, a
foreign corporation; and NORTHWEST
14 TOWER CRANE, a Washington corporation,

Defendants.

DECLARATION OF JAY R. SEVER
IN SUPPORT OF SCOTTSDALE
INSURANCE COMPANY'S MOTION
FOR PARTIAL SUMMARY
JUDGMENT

J. Jay R. Sever do hereby declare:

18.1. I am over eighteen years of age. I have personal knowledge of the matters set forth

19 herein and I am otherwise competent to testify to these matters.

20.2. I am a partner in the law firm Phelps Dunbar LLP and represent Scottsdale Insurance.

²¹ Company (“Scottsdale”) as counsel of record in this matter.

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DECLARATION OF JAY R. SEVER IN SUPPORT OF
SCOTTSDALE INSURANCE COMPANY'S MOTION FOR
PARTIAL SUMMARY JUDGMENT (Cause No. C09-0602
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PHELPS DUNBAR LLP
365 CANAL STREET, SUITE 2000
NEW ORLEANS, LA 70130
P: (504) 566-1311 F: (504) 568-9130

1 3. Attached as identified exhibits hereto are true and correct copies of the following:

2	Exhibit Number	Description of Document
3	A	Complaints filed in underlying matters (<i>in globo</i>): (1) <i>Kathleen Gaberson and Larry Ammon, et al. v. Lease Crutcher Lewis, et al.</i> , Superior Court of Washington for King County, Case No. 07-2-32215-9 SEA; (2) <i>Plaza 305, L.L.C. v. Lease Crutcher Lewis, et al.</i> , Superior Court of Washington for King County, Case No. 07-2-33136-1 SEA; (3) <i>Brickman Civica LLC v. Lease Crutcher Lewis, et al.</i> , Superior Court of Washington for King County, Case No. 07-2-38868-1 SEA; (4) <i>Intelligent Results, Inc. v. Lease Crutcher Lewis, et al.</i> , Superior Court of Washington for King County, Case No. 07-2-39334-0 SEA; and (5) <i>BRE Properties v. Lease Crutcher Lewis, et al.</i> , Superior Court of Washington for King County, Case No. 08-2-14232-9 SEA.
10	B	Subcontract between Lease Crutcher Lewis and Northwest Tower Crane Service, Inc., Bates Nos. ARCH 006 – 00229 through ARCH 006 – 00266.
12	C	E-mail dated May 11, 2007 from Elaine M. Fischer, Washington State Department of Labor and Industries (“L & I”) to Matthew G. Knopp, Peterson Young Putra enclosing L & I’s Enforcement Case File Information, Bates Nos. ARCH 000714 through ARCH000732
15	D	<i>In Re Tower Crane Collapse</i> , Superior Court of Washington for King County Case No.07-2-33136-1 SEA, Order Granting Motion to Consolidate Pretrial Matters to Individual Judge
17	E	Third-Party Complaints and Cross-Claims filed by Lease Crutcher Lewis (<i>in globo</i>): (1) <i>Plaza 305, L.L.C. v. Lease Crutcher Lewis, et al.</i> , Superior Court of Washington for King County, Case No. 07-2-33136-1 SEA; and (2) <i>Intelligent Results, Inc. v. Lease Crutcher Lewis, et al.</i> , Superior Court of Washington for King County, Case No. 07-2-39334-0 SEA
20	F	Scottsdale Policy No.BCS0013732, Bates Nos. SIC – MED 00001 through SIC – MED 00074
21	G	<i>In Re Tower Crane Collapse</i> , Superior Court of Washington for King County Case No.07-2-33136-1 SEA, Order Granting Northwest Tower Crane’s Motion for Reconsideration and Renewed Motion for Summary Judgment
24	H	Arch Insurance Company’s “List Claim Payments” purporting to represent amounts paid to, or on behalf of, Lease Crutcher Lewis.
25	I	December 16, 2008 letter from John W. Roddy, Bullard, Brown & Beal, LLP to Scottsdale Insurance Company re: Crane Collapse

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DECLARATION OF JAY R. SEVER IN SUPPORT OF
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1	Cases – Various Lawsuits v. Lease Crutcher Lewis - Additional Insured Tender to Scottsdale Insurance Company
2 J	Arch Policy No. 71PKG2106802, Bates Nos. ARCH 006 – 00027 through ARCH 006 – 00166

4 4. I declare under penalty of perjury that the foregoing is true and correct.
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6 Signed this 6th day of July, 2010.

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2 s/ Jay R. Sever
Jay R. Sever
Phelps Dunbar LLC
Canal Place
365 Canal Street, Suite 2000
New Orleans , LA 70130-6534
Direct: (504) 584-9271
severj@phelps.com

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DECLARATION OF JAY R. SEVER IN SUPPORT OF
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1 CERTIFICATE OF SERVICE

2 **I HEREBY CERTIFY** that on July 6th 2010, the foregoing Declaration of Jay R.
3 Sever in Support of Scottsdale Insurance Company's Motion for Partial Summary Judgment
4 was filed electronically, with the Clerk of Court by using the CM/ECF system which will
5 send a notice of electronic filing to counsel of record.

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7 */s/ Jay R. Sever*

8 Jay R. Sever, *Pro Hac Vice*
9 Pablo Gonzalez, *Pro Hac Vice*
10 365 Canal Street, Suite 2000
11 New Orleans, LA 70130-6534
12 Telephone: (504) 566-1311
13 Facsimile: (504) 568-9130 or 9007
14 Email: severj@phelps.com
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DECLARATION OF JAY R. SEVER IN SUPPORT OF
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